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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,216

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

MORRIS, JOHN J

ART UNIT

PAPER NUMBER

4147

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/567,216	Applicant(s) OVERWIJK ET AL.	
	Examiner JOHN J. MORRIS	Art Unit 4147	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 13-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albert et al. (US Pat# 6118426/ or “*Albert*” hereinafter) in view of Failla (US Pat# 5128662) and Comiskey et al. (US Pub# 20030067427 A1/ or “*Comiskey*” hereinafter).

For **claim 1**, Albert teaches a bi-stable display with addressing means for locally addressing the bi-stable display (Albert, abstract, lines 17-18, column 2, lines 20-22). Albert teaches using a conductive coating (Indium Tin Oxide) (Albert, column 6, lines 30-32), but Albert does not teach means for moving the addressing means; however, in the same field of endeavor, Failla teaches a flexible display that is rolled up (Failla, figure 48-52). It would have been obvious that means for moving the addressing means and the bi-stable display with respect to each other could be used. This is obvious because all that is needed to address the display is an electrical connection, therefore instead of feeding the electrical conductors through the axial hole as in Failla (Failla, column 15, lines 2-6), it would have been an obvious matter of design choice to make the electrical connection as the display is unrolled. Comiskey also teaches means for moving the addressing means and the display with respect to each other (Comiskey, figure 16e). It

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would have been obvious to one skill in the art at the time the invention was made to modify Albert with Failla because both teach flexible displays and the flexible display of Failla could be a bi-stable display if one desired it to be. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert and Failla with Comiskey because all deal with displays and Comiskey also deals with printed displays. The addition of the addressing method of Comiskey could increase the ease of use of Albert and Failla.

For **claim 2**, Failla teaches a flexible display screen wherein the display screen is rollable, with means for holding the rollable display in a rolled up position, and for allowing the rollable display to be unrolled, and wherein the addressing means is arranged for locally addressing the rollable bi-stable display while being rolled in and/or out the means for holding (Failla, figures 48-52).

For **claim 3**, Albert teaches wherein the display is mechanically separated (Albert, Figure 2). Albert also teaches that the display may be address through radio control (Albert, column 4, lines 15-19); therefore it would be obvious that the addressing means is mechanically separated from the display. Failla also teaches the addressing means is a unit mechanically separated from the display (Failla, figure 48-52). Comiskey also teaches the addressing means is a unit mechanically separated from the display (Comiskey, figure 16e).

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For **claim 4**, Failla teaches the addressing means is a unit mechanically fixed to the means for holding (Failla, figure 48, items 946, 950, 951). Comiskey also teaches the addressing means is a unit mechanically fixed to the means for holding (Comiskey, figure 16e).

For **claim 5**, Failla teaches the addressing means fixed to the means for holding in multiple positions (Failla, figure 49-52). Comiskey also teaches the addressing means fixed to the means for holding in multiple positions (Comiskey, figure 16e).

For **claim 6**, Comiskey teaches wherein addressing means may be arranged in multiple positions with respect to the means for holding the display (Comiskey, figure 16e). Therefore, this would allow the display to be addressed multiple times and with offsets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert and Failla with Comiskey because all deal with displays and Comiskey also deals with printed displays. The addition of the addressing method of Comiskey could increase the ease of use of Albert and Failla.

For **claim 13**, it is well known in the art to use a potentiometer to determine movement/position. It is also an obvious matter of design choice to use this information to send a signal to the addressing means so the device can accurately address the pixels of the display.

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Claim 14 is rejected upon the same grounds as claim 13.

Claim 15 is rejected upon the same grounds as claim 13.

For **claim 16**, it is well known in the art to use markers and a detector for detecting the markers to determine movement/position.

For **claim 17**, it is well known in the art to use a LED with markers that have different optical behavior and a detector for detecting the markers based on the change in light to determine movement/position.

Claim 18 is rejected upon the same grounds as claim 17.

Claim 20 is rejected upon the same grounds as claim 1.

Claim 21 is rejected upon the same grounds as claim 2.

3. Claims 7, 8, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albert et al. (US Pat# 6118426/ or "*Albert*" *hereinafter*) in view of Failla (US Pat# 5128662), Comiskey et al. (US Pub# 20030067427 A1/ or "*Comiskey*" *hereinafter*), and Takahara et al. (US Pat# 6005651/ or "*Takahara*" *hereinafter*).

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For **claim 7**, Albert, Failla, and Comiskey do not teach a photoconductive layer; however in the same field of endeavor, Takahara teaches an optically addressed display panel (Takahara, figure 9) with photoconductive layer and a display substance being sandwiched between a first and second conductive layer (Takahara, figure 9, items 103-107, 109, and 115). It would have been obvious that the optically addressed display panel would have a light source and that the first conductive layer being directed towards the light source would be optically transparent for passing the light or else the display would not work.). It would have been obvious to one skill in the art at the time the invention was made to modify Albert with Failla because both teach flexible displays and the flexible display of Failla could be a bi-stable display if one desired it to be. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert and Failla with Comiskey because all deal with displays and Comiskey also deals with printed displays. The addition of the addressing method of Comiskey could increase the ease of use of Albert and Failla. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Albert and Failla with Takahara because all deal with displays and the use of the optically addressed display of Takahara could durability of Albert and Failla since it reduces the amount of mechanical connections.

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For **claim 8**, Takahara teaches an optically addressed display panel (Takahara, figure 9) with photoconductive layer and a display substance being sandwiched between a first and second conductive layer (Takahara, figure 9, items 103-107, 109, and 115). It would have been obvious that the optically addressed display panel would have a light source. The position of the light source would have been an obvious matter of design choice because this would only require a mere change in location of the light source.

For **claim 19**, Takahara teaches wherein the display substance is a cholesteric liquid crystal (Takahara, column 5, lines 32-34).

4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albert et al. (US Pat# 6118426/ or "*Albert*" *hereinafter*) in view of Failla (US Pat# 5128662), Comiskey et al. (US Pub# 20030067427 A1/ or "*Comiskey*" *hereinafter*) and Kishimoto et al. (US Pat# 5126628/ or "*Kishimoto*" *hereinafter*).

For **claim 9**, Comiskey teaches a display that comprises a display substance sandwiched between a protective layer and a conductive layer (Comiskey, page 3, paragraph [0053], lines 1-5). It would have been obvious that the protective layer could have been a protective foil since it is an obvious matter of design choice due to the fact that the functionality of the layer is the same. Comiskey also teaches means for moving the addressing means and the display with respect to each other (Comiskey, figure 16e). Comiskey does not teach addressing means with a second electrode having a hole;

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however in the same field of endeavor, Kishimoto teaches addressing means comprising a first electrode being directed towards the display but not making contact with the display, and a second electrode position in-between the first electrode and the front panel with the second electrode having a hole for allowing the electron beam to pass towards the display substance (Kishimoto, figure 16, items 28, 26, 24, column 1, lines 31-53). It would have been obvious that the display would have a driver for generating the voltage between the first and second electrode to obtain the electron beam or else the display would not work.). It would have been obvious to one skill in the art at the time the invention was made to modify Albert with Failla because both teach flexible displays and the flexible display of Failla could be a bi-stable display if one desired it to be. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert and Failla with Comiskey because all deal with displays and Comiskey also deals with printed displays. The addition of the addressing method of Comiskey could increase the ease of use of Albert and Failla. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert, Failla and Comiskey with Kishimoto because all deal with displays and using the addressing means of Kishimoto could increase the durability since it reduces the number of physical connections (e.g. the connection between the addressing means and the display).

For **claim 10**, Kishimoto teaches addressing means comprising a first electrode being directed towards the display but not making contact with the display, and a second electrode position in-between the first electrode and the front panel with the second electrode having a hole for allowing the electron beam to pass towards the display substance (Kishimoto, figure 16, items 28, 26, 24, column 1, lines 31-53). Kishimoto also teaches the first electrode extending in one direction and ending at a predetermined distance with respect to the display (Kishimoto, figure 16), it is an obvious matter of design choice as to which direction they extend, parallel or perpendicular, since it only involves a mere change in position. It would have been obvious that the display would have a driver for generating the voltage between the first and second electrode to obtain the electron beam or else the display would not work.

For **claim 11**, Failla teaches a flexible display that is rolled up (Failla, figure 48-52). All that is needed to address the display is an electrical connection which Failla teaches by feeding the electrical conductors through the axial hole as (Failla, column 15, lines 2-6). It would have been an obvious matter of design choice to use a mechanical slider to make the electrical connection because all it is providing is the electrical connection. Failla does not teach what the display is comprised of; however in the same filed of endeavor, Comiskey teaches a display that comprises a display substance sandwiched between a protective layer and a conductive layer (Comiskey, page 3, paragraph [0053], lines 1-5). It would have been obvious that the protective layer could have been a protective foil since it is an obvious matter of design choice due to the fact

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that the functionality of the layer is the same. It would have been obvious that the display would have a driver for generating the voltage because it would not work without it. It would have been obvious to one skill in the art at the time the invention was made to modify Albert with Failla because both teach flexible displays and the flexible display of Failla could be a bi-stable display if one desired it to be. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert and Failla with Comiskey because all deal with displays and Comiskey also deals with printed displays. The addition of the addressing method of Comiskey could increase the ease of use of Albert and Failla. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albert, Failla and Comiskey with Kishimoto because all deal with displays and using the addressing means of Kishimoto could increase the durability since it reduces the number of physical connections (e.g. the connection between the addressing means and the display).

For **claim 12**, Failla teaches a flexible display that is rolled up (Failla, figure 48-52). All that is needed to address the display is an electrical connection which Failla teaches by feeding the electrical conductors through the axial hole as (Failla, column 15, lines 2-6). It would have been an obvious matter of design choice to use a mechanical slider to make the electrical connection because all it is providing is the electrical connection. It also would have been an obvious matter of design choice as to which direction the slider extends, parallel or perpendicular, since it only involves a mere change in position. Failla does not teach what the display is comprised of; however in

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the same field of endeavor, Comiskey teaches a display that comprises a display substance sandwiched between a protective layer and a conductive layer (Comiskey, page 3, paragraph [0053], lines 1-5). It would have been obvious that the protective layer could have been a protective foil since it is an obvious matter of design choice due to the fact that the functionality of the layer is the same. It would have been obvious that the display would have a driver for generating the voltage because it would not work without it.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Duthaler et al. (US Pub# 20030214697 A1) discloses an electrophoretic electronic display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN J. MORRIS whose telephone number is (571)270-7171. The examiner can normally be reached on Monday - Friday 7am - 3pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu-Oanh Bui can be reached on (571)272-7291. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KIEU-OANH BUI/
Supervisory Patent Examiner, Art Unit 4147

JOHN J MORRIS
Examiner
Art Unit 4147
